

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

08-W-2103

JUDGE:

KMW

DATE:

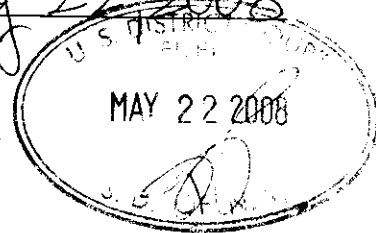
May 22, 2008

Martinez

-v-

Potter

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 22nd Day of May, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Martinez
-v-
Potter

U.S.C.A. # _____

U.S.D.C. # 08-cv-2103

JUDGE: KMW

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Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 6, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 22ND Day of May In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By _____

[Signature]
Deputy Clerk

APPEAL, CLOSED, PRO-SF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-02103-KMW
Internal Use Only

Martinez v. Potter et al
Assigned to: Judge Kimba M. Wood
Cause: 28:1331 Federal Question: Bivens Act

Date Filed: 03/03/2008
Date Terminated: 03/03/2008
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Date Filed	#	Docket Text
03/03/2008	1	COMPLAINT against Edwin Cuebas, Giovanni Rosado, B.M. Morrison, G.K. Tablian, S.G. Korinko, J.T. Burke, John Potter, Albert Gonzales, David N. Kelly, Stewart Orden, Leonard F. Joy, Robin E. Abrams, Andrew Patel, Peter K. Vigeland. Document filed by Steven Martinez.(mbe) (Entered: 03/11/2008)
03/03/2008		Magistrate Judge Douglas F. Eaton is so designated. (mbe) (Entered: 03/11/2008)
03/03/2008	2	ORDER OF DISMISSAL, the Clerk of Court is directed to assign a docket number to this action. For the following reasons, however, the action, is dismissed. Although this court would generally permit amendment of a fee-paid action to cure any defects before dismissing the case sua sponte. There is no need to do so here, as plaintiff presents no arguable meritorious issue. Accordingly, the complaint is dismissed. The Clerk of Court is directed to enter judgment dismissing the complaint. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. SO ORDERED. (Signed by Judge Kimba M. Wood on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/03/2008	3	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/3/2008) (mbe) (Entered: 03/11/2008)
03/24/2008	4	MOTION for reconsideration of the Court's Order on 3/3/08, pursuant to FRCP Rule 59(e) or in the alternative pursuant to FRCP Rule 60(a). Document filed by Steven Martinez.(die) (Entered: 04/02/2008)
04/22/2008	5	ORDER: It is well-settled that relief under Rule 59 may be granted only in extraordinary circumstances. The instant motion does not present such circumstances to warrant the exercise of this Court's sound discretion. Accordingly, the motion is denied. No further filings will be excepted in this case except those directed to the Court of Appeals for the Second Circuit. The Court certifies that pursuant to 28 U.S.C. 1915(a)(3), any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 4/22/08) (js) (Entered: 04/28/2008)
05/13/2008	6	NOTICE OF APPEAL from 5 Order on Motion for Reconsideration. Document filed by Steven Martinez. (tp) (Entered: 05/20/2008)
05/13/2008		Appeal Remark as to 6 Notice of Appeal filed by Steven Martinez. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/3/08. (tp) (Entered: 05/20/2008)
05/20/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 6 Notice of Appeal. (tp) (Entered: 05/20/2008)
05/20/2008		Transmission of Notice of Appeal to the District Judge re: 6 Notice of Appeal. (tp) (Entered: 05/20/2008)